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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/487,861	01/19/2000	Toshifumi Oba	51270-245626	3664

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EXAMINER

BAUTISTA, XIOMARA L

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 03/15/2004

15

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/487,861	Applicant(s) OBA ET AL.	
	Examiner X L Bautista	Art Unit 2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 25 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-9, 11-15, 17-24, 26 and 27 is/are rejected.
- 7) ☒ Claim(s) 10 and 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 January 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-3, 5-9, 11-15, 17-24, 26, and 27 have been considered but are moot in view of the new ground(s) of rejection.

Information Disclosure Statement

2. The information disclosure statement filed 4/14/03 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Objections

3. Claim 19 is objected to because of the following informalities: "received" (line 6) should be changed to -receive--. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2173

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 13-15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Humpleman et al* (US 6,288,716 B1) and *Sussman* (US 5,262,940).

Claims 1, 13, 14, 15:

Humpleman discloses a method for commanding and controlling diverse home devices. The home devices can display user interface data, which defines a user interface for commanding and controlling the home devices. The system has a main section (home device, software, session manager), an editing section (figs. 5A, 6-8, 10, 11), a storage section (col. 21, lines 30-35; col. 22, lines 1-10; col. 25, lines 7-9) and a display section (abstract; col. 2, lines 46-60; figs. 5A, 6-8, 10-13). A configuration manager maintains a list of the home devices that are currently connected to the home network (abstract; col. 2, lines 46-60).

Humpleman teaches (fig. 5A) a device link page 402 that contains home device buttons 406 for each home device; when the user selects a button 406, the respective device's home page is displayed (col. 13, lines 52-60). Fig. 6 illustrates a device link page 502 containing home device buttons 504 and manufacturer device buttons 506 (col. 14, lines 4-7). The user may define the arrangement of

device images and logos according to his own criteria. The user may change the device's label as shown in figs. 8, 10 and 11; instead of displaying a device button with the label TV, the user may change the label to "Dad's TV" since the device's HTML page has been customized by "Dad" (col. 14, lines 13-16; fig. 7; col. 21, lines 1-67; col. 22, lines 1-16). Humpleman does not teach an editing section separate from the main section. However, Sussman discloses a compact portable electronic device (portable audio system) that provides means for a user to store, retrieve, edit, delete and display information of audio and audio-visual recordings (abstract; col. 1, lines 43-68; col. 2, lines 1-33). Sussman teaches that the user may use an external computer for storing, retrieving, displaying and editing the media data (abstract; col. 1, lines 33-40, 57-63; col. 2, lines 1-4, 19-38; col. 3, lines 56-65; col. 5, lines 63-68; col. 6, lines 1-53; col. 10, lines 23-68; col. 27, lines 12-68). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include Sussman's teaching of a portable media device that can be integrated to an external computer for editing in Humpleman's home control network because the user is enabled to store and edit media data (labels, capabilities) using the audio device and also a personal computer which provides a larger user database.

Claims 2 and 3:

See claim 1. See: figs. 5A, 8, 10, and 11; col. 9, lines 30-63.

Claim 19:

See claim 1. Humpleman teaches a home network system having various kinds of capabilities (col. 19, lines 11-19) of processing an audio signal (col. 4, lines 42-57; col. 17, lines 42-52; col. 19, lines 37-45) with visual indication of the capabilities by labels (figs. 10-13). Humpleman teaches an interface (abstract; col. 6, lines 10-41, 61-67; col. 7, lines 1-3) for connection with an editing system (software external to the other systems) (col. 9, lines 30-63; figs. 5A, 6-8, 10, 11); a storage section that stores user interface data and edited data (col. 21, lines 30-35; col. 22, lines 1-10; col. 25, lines 7-9); a display section (abstract; col. 2, lines 46-60; figs. 5A, 6-8, 10-13) that displays labels that can be customized according with the corresponding capability (col. 19, lines 37-59; col. 20, lines 25-38).

Claim 20:

Humpleman teaches that a 1394 serial bus 114 connects multiple home devices of the home network 100 and that many different communication protocols could be used to provide communication for the home network (col. 4, lines 42-57; col. 5, lines 50-61; col. 6, lines 24-47). Humpleman does not teach that the interface for connection with the external editing system operates in accordance with the Universal Serial Bus (USB) protocol. However, it would have been obvious to one having ordinary skill in the art at the time the invention was

made to include a USB protocol in Humpleman's home network system because a USB connects peripherals to a microcomputer; it can connect up to 127 peripherals, modems, mice, and keyboards to the system through a single general-purpose port; it supports hot plugging (allows equipment to be connected to an active device, such as a computer, while the device is powered on) and multiple data streams.

Claim 21:

See claim 19. Humpleman teaches wireless communication protocols (col. 5, lines 50-61).

Claim 22:

See claim 1. Humpleman teaches an interface that allows the user to select (user input) one type of the capabilities of processing an audio signal (abstract; col. 19, lines 37-45; col. 20, lines 25-38).

Claim 23:

See claim 1. Humpleman teaches that the term "home devices" encompasses all electronic devices that are typically found in the home including stereo equipment and theatre equipment (col. 1, lines 20-36). Humpleman teaches that the system is capable of outputting audio signals (col. 17, lines 42-52; col. 19, lines 37-45). Therefore, Humpleman home network must include at least one audio amplifier and at least one speaker.

Claim 24:

See claim 1. Humpleman teaches that the user is enabled to set and modify settings (display data) and save it in memory (col. 21, lines 17-67; col. 22, lines 1-49; col. 25, lines 7-9).

6. Claims 5-9, 11, 12, 17, 18, 26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Humpleman/Sussman* and *Miller* (US 5,530,924).

Claims 5, 9, and 26:

See claim 2. Humpleman/Sussman does not teach that the system can apply different modes of sound effects to an audio signal with visual indication of the sound effects by labels. However, Miller discloses a radio receiver (audio system) having stored radio station memory presets that stores audio effects associated with stored radio station presets (abstract; col. 1, lines 10-13). Miller teaches that the system provides memory storage of a desired audio effect corresponding to each broadcast channel corresponding to a memory preset. A user may set tonal qualities and/or sound files simulations for a particular broadcast channel which will automatically be recalled when accessing that broadcast channel via a memory preset (col. 1, lines 66-67; col. 2, lines 1-12). Therefore, it would have been obvious to include different modes of sound effects to an audio

signal with visual indications by labels in Humpleman's invention because as Miller says "these various audio effects allow individual preferences depending on the type of broadcast programming being received" (col. 1, lines 46-58).

Claims 6, 7, 8, 11, 17, 18, and 27:

See claim 5. Miller teaches an audio system having a radio tuner selectably tunable to a plurality of broadcast channels (col. 2, lines 10-27).

Claim 12:

See claim 5. Miller teaches a system having capabilities of inputting an audio signal from different types of signal sources (col. 2, lines 10-27, 51-67; col. 3, lines 21-36).

Allowable Subject Matter

7. Claims 4 and 25 are allowed.
8. Claims 10 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. The following is a statement of reasons for the indication of allowable subject matter:

Prior art of record does not teach an audio system for processing an audio signal inputted from different types of signal sources with visual indication of the

signal sources by labels; the audio system including a selecting section for selecting one type of different types of signal sources to input audio signal wherein the selecting section, display section and storage systems are located in a first apparatus and the different types of signal sources are physically connected to the first apparatus through external device connection interfaces not including a radio frequency interface and separate from a personal computer connection terminal.

Humpleman teaches a method for controlling diverse home devices. A home device connected to a home network displays user interface data. A user may use a computer for editing information displayed in a home page. Humpleman does not teach an audio system for processing an audio signal inputted from different types of signal sources with visual indication of the signal sources by labels; the audio system including a selecting section for selecting one type of different types of signal sources to input audio signal wherein the selecting section, display section and storage systems are located in a first apparatus and the different types of signal sources are physically connected to the first apparatus through external device connection interfaces not including a radio frequency interface and separate from a personal computer connection terminal.

Sussman teaches a portable audio system for managing and cataloguing an inventory of audio and audio-visual recordings. Sussman does not teach an audio system for processing an audio signal inputted from different types of signal

sources with visual indication of the signal sources by labels; the audio system including a selecting section for selecting one type of different types of signal sources to input audio signal wherein the selecting section, display section and storage systems are located in a first apparatus and the different types of signal sources are physically connected to the first apparatus through external device connection interfaces not including a radio frequency interface and separate from a personal computer connection terminal.

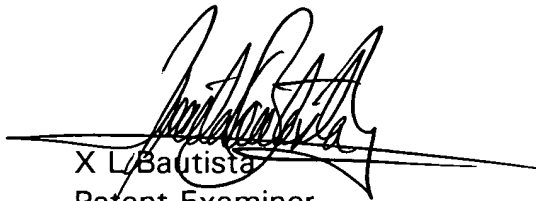
Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (703) 305-3921. The examiner can normally be reached on Monday-Thursday (8:00-18:00), Fridays Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X L. Bautista
Patent Examiner
Art Unit 2173

xlb
March 5, 2004